



TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Joann Waski, Chairperson
Edward Densieski, Vice-Chair/Secretary

Richard M. O'Dea, Member

Joseph H. Baier, Member
George Nunnaro, Member

February 17, 2022

Matthew Flansburg
50 South 10th Street, Suite 400
Minneapolis, MN 55403-2054

Resolution No. 2022-010
Grants Administrative Site Plan Approval for the Site Plan Application of
Target Drive-Up Expansion
1150 Old Country Road, Riverhead, NY
SCTM No. 600-108-3-13.7

Dear Mr. Flansburg:

The following resolution was duly adopted by the Town of Riverhead Planning Board held on February 17, 2022:

WHEREAS, the Riverhead Planning Board is in receipt of an administrative site plan application seeking approval to reconfigure an existing commercial parking lot in order to facilitate the installation of designated "drive up" parking stalls, curb stops, beacon signage, add crosswalk markings, construct a new curb ramp, and add pole mounted lighting fixtures; and

WHEREAS, the subject parcel is a 15.57 acre parcel of land located at 1150 Old Country Road, Riverhead, NY, within the Shopping Center (SC) zoning use district, which is presently improved with a ±126,000 sq. ft. retail store (Target), along with related site improvements; and

WHEREAS, the Planning Board has reviewed a site plan, prepared by Kimley Horn and Associates, Inc., last dated November 17, 2021, with sheets labeled C0.0: Cover Sheet, C0.1: Overall Site Plan, C1.0: Improvement Plan, C2.0: Details, C2.1: Details; and

WHEREAS, per the Parking Schedule contained within Chapter 301 of the Town Code, the existing 126,000 sq. ft. retail building requires a total of 504 parking stalls, based on the required parking rate of 1 stall per 250 sq. ft. of floor area; and

WHEREAS, the site currently contains a total of 598 improved parking stalls; and

WHEREAS, the site plan proposes reconfiguration of existing parking which will result in the overall elimination of a total of seven (7) parking stalls on the subject property; and

WHEREAS, upon completion of the proposed parking reconfiguration, the site will contain a total of 591 parking stalls, which exceeds the required parking in order to maintain compliance with Town Code; and

WHEREAS, pursuant to an inter-municipal agreement with the Suffolk County Planning Commission, adopted by the Town Board by Resolution No. 74, dated January 21, 2009, referral of the application to the SCPC is not required, as the application proposes less than 10,000 sq. ft. referral of the site plan application to the Suffolk County Planning Commission

WHEREAS, the proposed action is considered a Type II action pursuant to SEQRA, under 6NYCRR Part 614.5(c)(1), as it proposes maintenance or repair involving no substantial changes in an existing structure or facility; and

WHEREAS, due to the minor nature of the proposed improvements, the Planning Board has elected to waive the requirement for a public hearing on the site plan application; and

WHEREAS, the Planning Board has considered the merits of the site plan application, the report of the Planning Department, and other relevant planning information. Now, therefore be it

RESOLVED, that the Planning Board hereby grants administrative site plan approval for the site plan application of Target Drive-Up Expansion at 1150 Old Country Road, Riverhead, NY, SCTM No. 600-108-3-13.7, including a site plan, prepared by Kimley Horn and Associates, Inc., last dated November 17, 2021, with sheets labeled C0.0: Cover Sheet, C0.1: Overall Site Plan, C1.0: Improvement Plan, C2.0: Details, C2.1: Details, as well as lighting plans, prepared by Kimley Horn, last dated November 15, 2021, with sheets labeled E1.0: Site Lighting General Notes, E2.0: Site Lighting Plan, E3.0: Photometric Plan, S1.0: Light Pole Foundation details, subject to the following conditions:

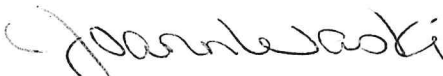
1. That no Building Permit or shall be issued until the Chairman of the Planning Board signs one (1) mylar copy and six (6) paper copies of the plans, including a site plan, prepared by Kimley Horn and Associates, Inc., last dated November 17, 2021, with sheets labeled C0.0: Cover Sheet, C0.1: Overall Site Plan, C1.0: Improvement Plan, C2.0: Details, C2.1: Details. Prior to the signature of the plans, the following conditions shall be met:
 - i. The plans shall be revised to include parking calculations for the site after the proposed improvements, at a rate of 1 stall per 250 sq. ft. of floor area, in order to demonstrate compliance with the Town Code's parking schedule.
 - ii. The lighting plans shall be revised to show site lighting fixtures with a maximum mounting height of 16 ft. above grade, as required by §301-259D(1) of the Town Code.
 - iii. The lighting plans shall be revised to show the color temperature of the proposed lighting fixtures, which shall not exceed 3,000°K, as required by §301-259G(11) of the Town Code.
 - iv. All sheets of the revised site plan and lighting plans shall be signed and sealed by the preparing engineer.
2. That no Certificates of Compliance shall be issued until:

- i. As part of an application for final site inspection, the applicant shall submit six (6) signed and sealed as-built surveys, signed and sealed by a NYS Licensed Land Surveyor to the Planning Department pursuant to §301-303E of the **Code of the Town of Riverhead**.

RESOLVED, that the Planning Department is hereby authorized to forward a copy of this resolution to Dorin Balin (Dorin.Balan@kimley-horn.com); the Riverhead Building Department; the Town Attorney's Office; the Town Clerk's Office; and be it further

RESOLVED, that all Town Hall Departments ay review and obtain a copy of this resolution form the electronic storage device, and if needed, a copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,



Joann Waski

Planning Board Chairperson

A motion was made by Mr. Baier and seconded by Mr. O'Dea that the aforementioned resolution be approved:

THE VOTE

BAIER X YES NO O'DEA X YES NO

NUNNARO ABSENT DENSIESKI X YES NO

WASKI ABSENT

THIS RESOLUTION X WAS WAS NOT
THEREFORE DULY ADOPTED



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Richard M. O'Dea, Member

Joseph H. Baier, Member
George Nunnaro, Member

February 17, 2022

Resolution No. 2022-011

**Transmits the Recommendations of the Riverhead Planning Board on the Special Permit
Application of Landmark at Riverhead to the Riverhead Town Board
103-105 East Main Street, Riverhead, NY
SCTM No. 600-129-1-10**

Dear Supervisor Aguiar and Town Board Members:

The following resolution was duly adopted at a meeting of the Town of Riverhead Planning Board held on February 17, 2022:

WHEREAS, the Riverhead Town Board is in receipt of a Special Permit application submitted by Wayne Steck, to permit the construction of a five-story mixed use building consisting of approximately 7,300 sq. ft. of ground floor commercial space and a total of 48 residential apartments on the upper floors, with a Special Permit being required pursuant to Town Code §301-246 as the proposed building exceeds the maximum allowable building coverage of 80% within the Riverhead Parking District No. 1; and

WHEREAS, pursuant to Town Code §301-311B, the Special Permit application was referred to the Riverhead Planning Board, which reviewed and discussed the application at its meeting on February 3, 2022 for its review and comment; and

WHEREAS, Planning Department staff has reviewed video footage, as well as the minutes of the February 3, 2022 Planning Board meeting, and has summarized the Planning Board's comments on the application. Now, therefore be it

RESOLVED, that the Planning Board hereby formalizes its recommendations on the Special Permit application of Landmark at Riverhead, 103-105 East Main Street, Riverhead, NY, SCTM No. 600-129-1-10, and authorizes the Planning Department to forward the following comments to the Town Board:

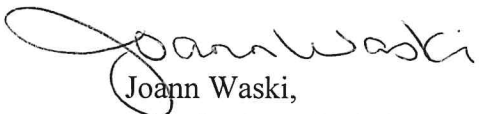
1. The Planning Board expressed concerns regarding impacts to the parking district from this project, as well as cumulative impacts from the recent and pending development projects taking place in the Downtown area.

Transmits Recommendations to Town Board Regarding Special Permit Application of Landmark at Riverhead

2. The Planning Board expressed concerns over the sizes of some of the proposed apartments and the ability to attain market rate occupancy.
3. The Planning Board expressed concerns over water availability and infrastructure to serve the proposed project.
4. The Planning Board expressed concerns over the impact of the proposed project in relation to the planned development of the Town Square, in terms of building size, massing, and potential shading impacts to the proposed Town Square area.
5. The Planning Board expressed concern over the 500-unit cap regarding residential apartments within the DC-1 zoning use district (Town Code §301-141A(12)), as well as the wording of the cap, which is based upon the issuance of a Certificate of Occupancy.
6. The Planning Board appreciated the look of the building, and appreciated some of the design aspects, such as the porches along the south side of the building which would allow for waterfront views.
7. The Planning Board recommended that the Town Board consider requiring ground level or underground parking; and be it further

RESOLVED, that the Clerk for the Planning Board is hereby authorized to send a signed copy of this resolution to the Town Clerk, for distribution to the Town Supervisor and Town Board members.

Very truly yours,


Joann Waski,
Planning Board Chairperson

A motion was made by Mr. Baier and seconded by Mr. O'Dea that the aforementioned resolution be approved:

THE VOTE

BAIER X YES NO O'DEA X YES NO

NUNNARO ABSENT DENSIESKI X YES NO

WASKI ABSENT

THIS RESOLUTION X WAS WAS NOT
THEREFORE DULY ADOPTED



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Joseph H. Baier, Member
George Nunnaro, Member

February 17, 2022

Richard Israel
c/o Purple Beech Realty, LLC
889 Harrison Ave, 2nd Floor
Riverhead, NY 11901

Resolution No. 2022-012
Assumes Lead Agency and Issues Negative Declaration Pursuant to SEQRA for the Major
Subdivision Application of Purple Beech Realty, LLC
465 Doctors Path, Riverhead, NY
SCTM No. 600-65-1-28

Dear Mr. Israel:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 17, 2022:

WHEREAS, the Planning Board is in receipt of a preliminary plat for a major subdivision proposing to subdivide a vacant 5.0 acre parcel of land located at 465 Doctors Path, within the Residence A-40 (RA40) zoning use district, with said parcel being more particularly described as SCTM No. 600-65-1-28; and

WHEREAS, by Resolution No. 2020-068, dated October 15, 2020, the Riverhead Planning Board approved a four (4) lot as-of-right development yield map which identified the as-of-right development potential of an existing, vacant 5.0 acre parcel of land located at 465 Doctors path, on the west side of the road, in the Town of Riverhead, with said parcel being more particularly described as SCTM No. 600-65-1-28, and located within the Residence A-40 (RA40) zoning use district; and

WHEREAS, by Resolution No. 2020-069, dated October 15, 2020, the Riverhead Planning Board approved an eight (8) lot Transfer of Development Rights (TDR) yield map for the same parcel, predicated upon the procurement of redemption of four (4) TDR's to achieve the increased density, which would be considered under separate application by the Riverhead Planning Board pursuant to the guidelines of Town Code Article XLII; and

WHEREAS, by Resolution No. 2021-095, dated September 2, 2021, the Riverhead Planning Board approved a nine (9) lot TDR Sketch Plan, which included one (1) affordable housing unit to comply with the Long Island Workforce Housing Act (LIWFHA); and

WHEREAS, the applicant has submitted a preliminary plat in furtherance of the major subdivision; and

WHEREAS, by Resolution No. 2021-119, dated December 16, 2021, the Planning Board classified the action as an Unlisted Action pursuant to SEQRA and circulated a request for Lead Agency among involved agencies; and

WHEREAS, by letter dated December 21, 2021, the Planning Department circulated a request for Lead Agency status to the following agencies and departments:

1. Riverhead Town Board.
2. Riverhead Water District.
3. Riverhead Highway Department.
4. Suffolk County Planning Commission.
5. Suffolk County Department of Health Services.
6. New York State Department of Environmental Conservation.
7. PSEG Long Island; and

WHEREAS, in a letter dated January 6, 2022, the Suffolk County Planning Commission indicated that they had no objection to the Town of Riverhead's request for Lead Agency status, and offered the following comment:

1. Article 6 of the Suffolk County Department of Health Services Sanitary Code should be complied with, especially as it relates to allowable density and more particularly as it relates to density increases via transfer of development rights and the 'double-density' limitation standards; and

WHEREAS, the subject property a 5.0 acre parcel located within Suffolk County Groundwater Management Zone IV, which has an allowable sanitary flow of 600 gallons per day per acre, with the subject property having an allowable sanitary flow of 3,000 gallons per day; and

WHEREAS, single family residences are ascribed a 300 gallon per day sanitary flow per Suffolk County Department of Health Services standards, meaning the total sanitary flow from the nine (9) developed lots would be 2,700 gallons per day, thus demonstrating compliance with Suffolk County Department of Health Services; and

WHEREAS, in a letter to the applicant, dated September 24, 2021, H2M Architects + Engineers detailed the requirements for the preparation of a Map & Plan for the proposed subdivision, which was paid for by the applicant by check dated February 8, 2022; and

WHEREAS, the Planning Board has reviewed the Full Environmental Assessment Form (FEAF) Part 1, dated November 8, 2021; and

WHEREAS, the Planning Department has prepared the Full Environmental Assessment Form Parts 2 and 3, dated February 16, 2022; and

WHEREAS, the Planning Board has considered the subdivision application, the report of the Planning Department, and the SEQRA record to date. Now, therefore be it


RESOLVED, that the Planning Board hereby assumes Lead Agency status for the purposes of SEQRA review of the major subdivision application of Purple Beech, LLC; and be it further

RESOLVED, that the Planning Board hereby issues a Negative Declaration pursuant to SEQRA for the proposed project, and an Environmental Impact Statement need not be prepared, as the project is not anticipated to have any significant negative environmental impacts; and be it further

RESOLVED, that signed copies of this resolution may be forwarded to Thomas C. Wolpert, PE, c/o Young & Young Engineering, 400 Ostrander Avenue, Riverhead, NY 11901; the Building Department; the Office of the Town Attorney; the Town Clerk; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,


Joann Waski,
Planning Board Chairperson

THE VOTE

A motion was made by Mr. O'Dea and seconded by Mr. Baier that the aforementioned resolution be approved:

THE VOTE

BAIER X YES ___ NO O'DEA X YES ___ NO

NUNNARO ABSENT DENSIESKI X YES ___ NO

WASKI ABSENT

THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED



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Joseph H. Baier, Member
George Nunnaro, Member

February 17, 2022

Richard Israel
c/o Purple Beech Realty, LLC
889 Harrison Ave, 2nd Floor
Riverhead, NY 11901

Resolution No. 2022-013
Schedules Public Hearing for the Major Subdivision Application of
Purple Beech Realty, LLC
465 Doctors Path, Riverhead, NY
SCTM No. 600-65-1-28

Dear Mr. Israel:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 17, 2022:

WHEREAS, the Riverhead Planning Board is in receipt of a preliminary plat submitted in furtherance of a major subdivision application proposing to subdivide an existing vacant 5.0 acre parcel and create nine (9) single family residential lots, along with related roadway, drainage, and utility improvements; and

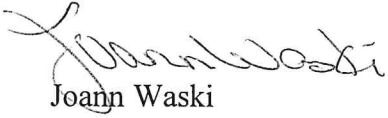
WHEREAS, the project site, identified as SCTM No. 600-65-1-28, is located at 465 Doctors Path, within the Residence A-40 zoning use district; and

WHEREAS, by Resolution No. 2022-012, dated February 17, 2022, the Planning Board assumed Lead Agency status and issued a Negative Declaration pursuant to SEQRA, finding that the proposed major subdivision would not have any significant negative environmental impacts; and

WHEREAS, pursuant to Town Code §301-289A(2), the Riverhead Planning Board desires to hold a public hearing on the preliminary plat. Now, therefore be it

RESOLVED, that the Clerk to the Planning Board hereby be authorized to publish and post the attached notice of public hearing.

Very truly yours,



Joann Waski

Planning Board Chairperson

A motion was made by Mr. Baier and seconded by Mr. O'Dea that the aforementioned resolution be approved:

THE VOTE

BAIER X YES ___ NO O'DEA X YES ___ NO

NUNNARO ABSENT DENSIESKI X YES ___ NO

WASKI ABSENT

THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**THE PLANNING BOARD OF THE TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Riverhead Planning Board at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on Thursday the 7th day of April, 2022, at 6:00 o'clock p.m. to consider a major subdivision application seeking approval to subdivide an existing vacant 5.0 acre parcel of land located at 465 Doctors Path, Riverhead, on the west side of the road, within the Residence A-40 zoning use district, and create nine (9) single family residential building lots, along with related improvements including roadways, drainage, and utility infrastructure. The subject parcel is particularly identified as SCTM No. 600-65-1-2884-2-2.1.

Dated: February 17, 2022
Riverhead, New York

**BY THE ORDER OF THE PLANNING BOARD
OF THE TOWN OF RIVERHEAD**



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Richard M. O'Dea, Member

Joseph H. Baier, Member
George Nunnaro, Member

February 17, 2022

Peter Ifkovits
81 Beach Road
Wading River, NY 11792

Resolution No. 2022-014
Grants Extension of Approval for Minor Subdivision of Charity Osuna and Peter Ifkovits
81 Beach Road, Wading River NY
SCTM No. 600-26-3-28.1

Dear Mr. Ifkovits:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 17, 2022:

WHEREAS, by Planning Board Resolution No. 2018-061, dated July 19, 2018, the Planning Board approved a two-lot minor subdivision for Charity Osuna and Peter Ifkovits; and

WHEREAS, Stanley Carey, the prior Chairman of the Planning Board, signed the mylars and subdivision maps on August 27, 2021; and

WHEREAS, at the time the applicant attempted to file the subdivision maps with the Suffolk County Clerk, the Clerk rejected the maps due to the date of the signature not being within the appropriate time frame since the subdivision was approved; and

WHEREAS, as all other conditions of subdivision approval contained within Resolution No. 2018-061 have been satisfied, with the exception of the filing of the maps with the Suffolk County Clerk, with all other facts and circumstances related to the subject property being the same as they were at the time of approval, the Board finds it appropriate to grant an extension of subdivision approval for the Chairperson of the Planning Board to re-sign the maps, pursuant to New York State Town Law Section 276(7). Now, therefore be it

RESOLVED, that the Chairperson, or her assign, is hereby authorized to re-sign the approved subdivision map of Charity Osuna and Peter Ifkovits, and file the maps with the Suffolk County Clerk. pursuant to as of the date of approval of this resolution, the applicant has satisfied all conditions of subdivision approval contained within Resolution No. 2018-061, with the

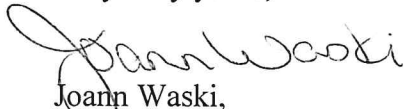
Osuna/Ifkovits – Subdivision Approval Extension

exception of filing the map with the Suffolk County Clerk; and be it further

RESOLVED, that copies of this resolution be forwarded to the Town Assessor's Office; the Town Attorney; the Building Department, and the Town Clerk of the Town of Riverhead; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,


Joann Waski,
Planning Board Chairperson

A motion was made by Mr. O'Dea and seconded by Mr. Baier that the aforementioned resolution be approved:

THE VOTE

BAIER X YES NO O'DEA X YES NO

NUNNARO ABSENT DENSIESKI X YES NO

WASKI ABSENT

THIS RESOLUTION X WAS WAS NOT
THEREFORE DULY ADOPTED



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Richard M. O'Dea, Member

Joseph H. Baier, Member
George Nunnaro, Member

February 17, 2022

Gabriella Amato
c/o/ Amato Law Group, PLLC
666 Old Country Road, Suite 901
Garden City, NY 11530

Resolution No. 2022-015

**Classifies Action, Assumes Lead Agency, Issues Negative Declaration Pursuant to SEQRA and
Grants Administrative Site Plan Approval of Verizon Wireless - Northville (SNAP) Site Plan
Sound Avenue, Jamesport, NY
SCTM No. 600-3-1-2.5**

Dear Ms. Amato:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 17, 2022:

WHEREAS, the Planning Board is in receipt of a site plan application from Verizon Wireless proposing to modify an existing wireless communications facility situated on a site located at Sound Avenue, Jamesport, NY, with said parcel more particularly described as SCTM No. 600-3-1.2.5, within the Residence A-80 (RA80) zoning use district; and

WHEREAS, the tower modifications specifically consist of removing and replacing six (6) of twelve (12) existing remote radio heads (RRH's), removing six RRH's entirely, replacing three (3) existing main distribution boxes (MDB's), and replacing three (3) existing hybrid cables; and

WHEREAS, proposed ground work consists of replacing three (3) existing MDB's within an existing equipment shelter; and

WHEREAS, the Planning Board has received and reviewed a site plan, prepared and stamped by Scott M. Chasse, PE, last dated July 21, 2021, with sheets labeled T-1: Title Sheet & Index, SP-1: Site Plan, A-1: Plans & Elevation, A-2: Equipment Mounting Details, A-3: Notes & Specifications; and

WHEREAS, the Planning Board has received and reviewed Structural Analysis Report for the antenna mounting assemblies, prepared and stamped by Michael S. Trodden, last dated July 21, 2021, which found that the proposed antenna mounting assemblies are structurally adequate to support the proposed tower improvements; and

Verizon Northville (850) – Administrative Approval Resolution

WHEREAS, the Planning Department has received and reviewed a structural analysis for the tower and foundation, prepared and stamped by Robert E. Adair, PE, last dated December 9, 2021, which found that the tower foundation and guy anchors were adequately sized to support the proposed equipment; and

WHEREAS, the applicant has submitted an Radio Frequency – Electromagnetic Energy Jurisdictional Report, prepared by EBI Consulting, signed and sealed by Michael McGuire, PE, last dated August 19, 2021, analyzed the proposed Verizon equipment on the tower, as well as the other existing carriers (Sprint, T-Mobile, and AT&T), and found that the maximum cumulative exposure levels from all carriers at the site is approximately 0.15% of the FCC's general population limit, at ground level, which is well within acceptable levels in terms of the Maximum Permissible Exposure (MPE) levels established by the FCC; and

WHEREAS, the Riverhead Planning Department identified the application as an Unlisted action pursuant to 6NYCRR Part 617 with coordinated SEQRA review being optional and not recommended; and

WHEREAS, a public hearing is not required as this is considered an administrative review as per §301-304 B(3)(g) of the Code of the Town of Riverhead; and

WHEREAS, the site plan review fee, as required by §301-305 G(2) of the Code of the Town of Riverhead has been received as per the Office of the Financial Administrator of the Town of Riverhead; and

WHEREAS, the Planning Board has carefully considered the merits of the site plan application, the SEQRA record to date, the reports of the Planning Department, as well as all other agencies having jurisdiction and relevant Planning, Zoning and Environmental information.

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Planning Board hereby assumes Lead Agency status for the purposes of SEQRA review, without the need for coordinated review, in the matter of the site plan of Verizon Wireless - Northville (SNAP), and hereby and issues a negative declaration pursuant to 6NYCRR Part 617 (SEQRA); and be it further

RESOLVED, the site plan application, including a site plan, prepared and stamped by Scott M. Chasse, PE, last dated July 21, 2021, with sheets labeled T-1: Title Sheet & Index, SP-1: Site Plan, A-1: Plans & Elevation, A-2: Equipment Mounting Details, A-3: Notes & Specifications, is hereby approved by the Riverhead Planning Board; and be it further

RESOLVED, that prior to the issuance of a certificate of compliance, the following conditions shall be met:

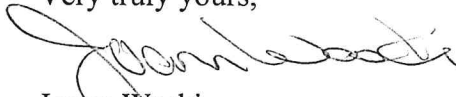
1. That a post construction analysis of the mounting strut and installations shall be submitted by a NYS Licensed Engineer certifying that the completed work conforms to the approved plans, design and any structural improvements.

Verizon Northville (850) – Administrative Approval Resolution

RESOLVED, that the Clerk of the Planning Board is hereby authorized to forward a copy of this resolution to the Riverhead Building Department; the Office of the Town Attorney; the Planning Board Attorney; and the Town Clerk; the Town Assessor's Office; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,



Joann Waski
Planning Board Chairperson

A motion was made by Mr. Baier and seconded by Mr. O'Dea that the aforementioned resolution be approved:

THE VOTE

BAIER X YES ___ NO O'DEA X YES ___ NO
NUNNARO ABSENT DENSIESKI X YES ___ NO
WASKI ABSENT

THIS RESOLUTION X WAS ___ WAS NOT
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Joseph H. Baier, Member
George Nunnaro, Member

February 17, 2022

Tara Reese
10 River Rd.
Montville, NY 07043

Resolution No. 2022-016
Amends Conditions of Approval of Resolution No. 2022-002 for KFC Façade, Landscaping, and
Lighting Improvements Classifies Action Pursuant to SEQRA and Grants Administrative
Approval
for KFC Façade, Landscaping and Lighting Improvements
993 Old Country Road, Riverhead, NY
SCTM No. 600-108-4-11.3

Dear Ms. Reese:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on January 20, 2022:

WHEREAS, the Riverhead Planning Board is in receipt of an administrative site plan application seeking approval to perform façade renovations, as well as update site lighting and landscaping, at the site of an existing fast food restaurant located at 993 Old Country Road, Riverhead, NY, within the Business Center (BC) zoning use district, with said parcel more particularly described as SCTM No. 600-108-4-11.3; and

WHEREAS, by Resolution No. 2022-002, dated January 20, 2022, the Planning Board granted administrative approval of the site plan application, subject to the following conditions:

1. That the provisions of the Town Code of the town of Riverhead, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan.
2. The applicant must satisfy all requirements of the Building and Fire Code of New York State.
3. That the Fire Marshal may designate fire zones as they may see fit and it is agreed that the applicant shall be required to identify these fire zones as needed.
4. That no Building Permit shall be issued until the Chairperson of the Planning Board signs one (1) mylar and six (6) paper copies of the site plan. Prior to the signature of the mylar, the following conditions shall be met:

- i. The applicant shall file a future cross access agreement to SCTM No. 600-106-4-11.16, in a form approved by the Town Attorney's office, to establish future cross access at the southeastern portion of the property in the location of the existing driveway.
 - ii. The lighting plan shall be revised to include the model manufacturer's numbers of the proposed lighting fixtures.
 - iii. The lighting plan shall be revised to show how existing site lighting will be brought into compliance with Article XLIX of the Town Code.
5. That no Certificates of Occupancy shall be issued until:
- i. The applicant schedules and receives any applicable inspections pursuant to Town Code 301-305(F); and

WHEREAS, by letter dated February 15, 2022, Simone M. Freeman, Esq., attorney for the tenant of the property, submitted a letter presenting objections to condition No. 4i, requiring the filing of a future cross access agreement, citing the tenants lack of ownership of the property, and that the landlord would be unlikely to consent to the future cross access agreement on the subject parcel; and

WHEREAS, the Planning Board has considered the scope of work of the aforementioned site plan application, and the request of the applicant's attorney. Now, therefore be it

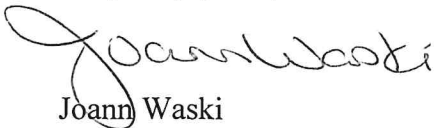
RESOLVED, that the Planning Board hereby removes condition No. 4i from Resolution No. 2022-002, dated January 20, 2022; and be it further

RESOLVED, that all other conditions of approval contained within Resolution No. 2022-002 shall remain in effect; and be it further

RESOLVED, that the Clerk of the Planning Board is hereby authorized to forward a copy of this resolution to the Riverhead Building Department; the Office of the Town Attorney; the Planning Board Attorney; the Town Clerk; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours, ✓



Joann Waski
Planning Board Chairperson

A motion was made by Mr. Baier and seconded by Mr. O'Dea that the aforementioned resolution be approved:

THE VOTE

BAIER X YES NO O'DEA X YES NO

NUNNARO ABSENT DENSIESKI X YES ___ NO

WASKI ABSENT

THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED